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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,899	09/30/2003	Dan Jones	45098.00010.UTL1	8061
67670	7590	11/30/2007		
West Corporation c/o Michele Zarinelli 11808 Miracle Hills Drive MSW11-Legal Omaha, NE 68154			EXAMINER MOORE JR, MICHAEL J	
			ART UNIT 2619	PAPER NUMBER
			NOTIFICATION DATE 11/30/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mazarinelli@west.com

Office Action Summary

Application No.

10/676,899

Applicant(s)

JONES ET AL.

Examiner

Michael J. Moore, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 87-104 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 87-104 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim **87** is objected to because of the following informalities: On line 20, an objection is made to the limitation, "defining a message routing mesh of media switches comprising all of the user endpoints and service endpoints identified in (a) and (b)". There is some confusion regarding this *amended* limitation. Specifically, on lines 7-8, it is claimed that "the first and second service endpoints communicate via at least one media switch" which seems to not correlate to the above cited *amended* limitation. In other words, it is unclear how the service endpoints communicate via a media switch while it appears that at the same time a media switch comprises user endpoints and service endpoints. Further clarification is requested. Appropriate correction is required.
2. Amendments made by Applicant to claims **87, 95, 98, 99, and 101** to obviate the claim objections presented in the previous Office Action are proper and have been entered. These objections have been withdrawn.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims **87-104** are rejected under 35 U.S.C. 102(b) as being anticipated by Ludwig et al. (U.S. 6,237,025) (hereinafter "Ludwig"). *Ludwig* teaches all of the limitations of the specified claims with the reasoning that follows.

Regarding claim 87, “providing a plurality of services to be used in a multimedia conference session, wherein each of the plurality of services is hosted by and independently executable through at least one service endpoint in a communications network” is anticipated by the audio/video/data teleconferencing (plurality of services) provided among CMWs 12 by MLAN server 60 (service endpoint) of Figure 3 as spoken of on column 8, lines 43-58.

“The communication network comprising a plurality of domains and wherein a first service endpoint is on a separate domain from a second service endpoint, and wherein the first and second service endpoints communicate via at least one media switch” is anticipated by the network of MLANs in locations A, B, C, and D (plurality of domains) shown in Figure 4 each having respective MLAN servers 60 (service endpoints as shown in Figure 3) that communicate via WAN switching multiplexers 44 (media switches) as spoken of on column 10, lines 25-47.

“Enabling a plurality of users to participate in the multimedia conference session, wherein each user can participate in the conference session through at least one respective user endpoint in the communications network” is anticipated by the setting up (enabling) of required audio/video and data paths between CMWs 12 (user endpoints) by MLAN server 60 of Figure 3 as spoken of on column 8, line 66 – column 9, line 6.

“Receiving a request to initiate the multimedia conference session” is anticipated by initiating CMW 12 signaling MLAN server 60 via Data LAN hub 25 identifying the desired conference participants as spoken of on column 8, line 67 – column 9, line 1.

“In response to the session initiation request, establishing the multimedia conference session via the steps of: identifying respective user endpoints for each of the plurality of users participating in the session” is anticipated by MLAN server 60 that determines which conferees (identifies user endpoints) will accept a conference call request as spoken of on column 9, lines 1-6.

“Identifying a subset of services selected from the plurality of the services for the conference session and respective service endpoints associated with each of the subset of services in the communications network” is anticipated by MLAN servers 60 (service endpoints) of the involved MLANs 10 that control their respective A/V switching circuitry 30, conference bridges 35, and WAN gateways 40 to set up appropriate communication paths (identify subset of services) as spoken of on column 9, lines 7-11.

“Defining a message routing mesh of media switches comprising all of the user endpoints and service endpoints identified” is anticipated by MLAN servers 60 (service endpoints) that communicate with one another via data paths so that each MLAN 10 contains updated information (message routing mesh) as to the capabilities of the system CMWs 12 (user endpoints) as spoken of on column 9, lines 13-17.

“Wherein resources for establishing the multimedia conference are distributed among the plurality of service endpoints” is anticipated by the respective MLAN servers 60 (service endpoints) of the involved MLANs 10 of Figures 1 and 4, that control their respective (distributed) A/V switching circuitry 30, conference bridges 35, and WAN gateways 40 (resources) to set up appropriate communication paths via WAN 15 in order to interconnect the conferees as spoken of on column 9, lines 7-12.

“Routing messages between any of the user and service endpoints in the message routing mesh during real-time performance of the conference session” is anticipated by the transmission of appropriate audio and video signals (messages) to/from each participant’s CMW 12 as spoken of on column 19, lines 35-38.

Lastly, “updating the multimedia conference session with a newly selected service from the plurality of the services; and in response to the newly selected service, identifying a particular service endpoint associated with the newly selected service and including the particular service endpoint into the message routing mesh” is anticipated by conference participants that initiate data conferencing services (newly selected service) with selected participant CMWs involved in a videoconference via MLAN server 60 (service endpoint) as spoken of on column 8, lines 20-22 as well as column 26, lines 47-63.

Regarding claim **88**, “wherein the plurality of services comprise an audio service, a video service, a presence service, an authentication service and a graphic service and each service is provided by a separate service endpoint” is anticipated by the audio, video, text, graphics, and mail capabilities provided in the collaboration system of Figure 1 as spoken of on column 8, lines 41-49, as well as the respective MLAN servers 60 (service endpoints) of the involved MLANs 10 of Figures 1 and 4, that control their respective (distributed) A/V switching circuitry 30, conference bridges 35, and WAN gateways 40 (resources) to set up appropriate communication paths via WAN 15 in order to interconnect the conferees as spoken of on column 9, lines 7-12.

Regarding claim **89**, “creating a temporary conference endpoint corresponding to the conference session; and including the temporary conference endpoint into the message routing mesh” is anticipated by the addition of one or more parties (temporary conference endpoint) to an existing two-party call as spoken of on column 24, lines 45-53.

Regarding claim **90**, “routing messages from a source endpoint to a destination endpoint directly in the domain of the service endpoint and outside of the domain” is anticipated by the communication path establishment between CMWs at the same location (directly in same domain) spoken of on column 9, lines 1-6.

Regarding claim **91**, “routing messages from a source endpoint to a destination endpoint via an intermediate service endpoint in the communications network” is anticipated by the communication path establishment between CMWs at distant locations via MLAN servers 60 (intermediate service endpoints) and WAN 15 of Figure 1 as spoken of on column 9, lines 7-12.

Regarding claim **92**, “creating an additional user or service endpoint by installing and executing a software program on a computing platform connected to the communications network” is anticipated by the use of software 160 (program) of Figure 20 to initiate and manage collaborative sessions with other users (additional users) as spoken of on column 18, lines 36-42.

Regarding claim **93**, “wherein the additional user endpoint or service endpoint is immediately available for communication with any existing endpoints in the conference

session” is anticipated by the connection provided to a new invited participant CMW as spoken of on column 25, lines 23-32.

Regarding claim **94**, “wherein a particular service is available simultaneously via more than one service endpoint so that identifying a service endpoint associated with the particular service further comprises determining a most suitable service endpoint from all service endpoints associated with the particular service pursuant to pre-defined protocols” is anticipated by the optimal routing for audio/video signals (determining most suitable service endpoint) through the WAN as shown in Figure 4 and spoken of on column 10, lines 61-67.

Regarding claim **95**, “a collaborative communication system configured to conduct multiple multimedia conference sessions simultaneously, wherein each conference session is dynamically configurable” is anticipated by the collaboration system shown in Figure 1 that conducts multiple conference sessions among CMWs 12 of MLANs 10 as spoken of on column 5, line 63 – column 6, line 7.

“A plurality of endpoints in a communications network, the plurality of endpoints comprising at least a first group of endpoints involved in a first multimedia conference session and a second group of endpoints involved in a second multimedia conference session” is anticipated by the CMWs 12 (endpoints) of MLANs 10 shown in Figure 1 as well as the multiple simultaneous conference session capability spoken of on column 37, lines 44-54.

“A plurality of services, wherein each service is provided by at least one of a plurality of service endpoints distributed over the communications network” is

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anticipated by the audio/video/data teleconferencing (plurality of services) provided among CMWs 12 by MLAN server 60 (service endpoint) of Figure 3 as spoken of on column 8, lines 43-58.

“The communication network comprising a plurality of domains and wherein a first service endpoint is on a separate domain from a second service endpoint, and wherein the first and second service endpoints communicate via at least one media switch” is anticipated by the network of MLANs in locations A, B, C, and D (plurality of domains) shown in Figure 4 each having respective MLAN servers 60 (service endpoints as shown in Figure 3) that communicate via WAN switching multiplexers 44 (media switches) as spoken of on column 10, lines 25-47.

“The first multimedia conference session is initiated from a first endpoint in the first group of endpoints, the first group of endpoints establishing a first message routing mesh so as to render the first session dynamically configurable” and “the second multimedia conference session is initiated from a second endpoint in the second group of endpoints, the second group of endpoints establishing a second message routing mesh so as to render the second session dynamically configurable” is anticipated by initiating CMW 12 (endpoint) signaling MLAN server 60 via Data LAN hub 25 identifying the desired conference participants as spoken of on column 8, line 67 – column 9, line 1, as well as MLAN servers 60 (service endpoints) that communicate with one another via data paths so that each MLAN 10 contains updated information (message routing mesh) as to the capabilities of the system CMWs 12 (user endpoints) as spoken of on column 9, lines 13-17.

Lastly, “the first and second multimedia conference sessions are conducted simultaneously, and the first and second message routing meshes contain endpoints in common” is anticipated by the simultaneous conferencing involving a user roaming from one active conference session to another active conference session as spoken of on column 37, lines 32-54.

Regarding claim **96**, “wherein at least one of the plurality of services is a media service providing at least one of an audio feature, a video feature or a graphic feature” is anticipated by the audio, video, text, graphics, and mail capabilities provided in the collaboration system of Figure 1 as spoken of on column 8, lines 41-49.

Regarding claim **97**, “wherein at least one of the plurality of services is a control service providing at least one of a presence feature, an authentication feature, or an endpoint locator feature” is anticipated by the tracking of party location spoken of on column 9, lines 13-17.

Regarding claim **98**, “A collaborative communication system configured to conduct multiple multimedia conference sessions simultaneously, wherein the system is dynamically configurable and expandable” is anticipated by the collaboration system shown in Figure 1 that conducts multiple conference sessions among CMWs 12 of MLANs 10 as spoken of on column 5, line 63 – column 6, line 7.

“A plurality of endpoints in a communications network” is anticipated by the CMWs 12 (endpoints) of MLANs 10 shown in Figure 1.

“A plurality of services for conducting a multimedia conference session, wherein each service is provided by at least one of a plurality of service endpoints distributed

over the communications network” is anticipated by the audio/video/data teleconferencing (plurality of services) provided among CMWs 12 by MLAN server 60 (service endpoint) of Figure 3 as spoken of on column 8, lines 43-58.

“The communication network comprising a plurality of domains and wherein a first service endpoint is on a separate domain from a second service endpoint, and wherein the first and second service endpoints communicate via at least one media switch” is anticipated by the network of MLANs in locations A, B, C, and D (plurality of domains) shown in Figure 4 each having respective MLAN servers 60 (service endpoints as shown in Figure 3) that communicate via WAN switching multiplexers 44 (media switches) as spoken of on column 10, lines 25-47.

“Wherein, each of the multiple multimedia conference sessions is configured dynamically by adding or deleting any one of the plurality of endpoints in a message routing mesh associated with the conference session” is anticipated by the adding or removing of participants from a session as spoken of on column 21, lines 55-64.

“Wherein, the collaborative communication system can be expanded by adding additional services and associated endpoints into the plurality of endpoints” is anticipated by the additional collaborative services such as mail, application sharing, etc. available for CMWs of a session as spoken of on column 19, lines 47-54.

Regarding claim 99, “wherein each additional service and associated endpoint is added during any of the conference sessions without modification to any existing services or endpoints in the communications network” is anticipated by the additional

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collaborative services such as mail, application sharing, etc. available for CMWs of a session as spoken of on column 19, lines 47-54.

Regarding claim **100**, “wherein each additional service and associated endpoint is added by installing and executing a software application on the endpoint, the software application relating to the service and accessible from a computing platform connected to the communications network” is anticipated by the use of software 160 (program) of Figure 20 to initiate and manage collaborative sessions with other users (additional users) as spoken of on column 18, lines 36-42.

Regarding claim **101**, “wherein at least one service and associated endpoint provides customized service instances pursuant to one or more specific subscriptions by users participating in each multimedia conference session” is anticipated by the selection of appropriate audio and video signals to be transmitted to/from each participant's CMW as spoken of on column 19, lines 29-37.

Regarding claim **102**, “wherein the customized service instances comprise at least one service instance reflecting a pre-subscribed security degree” is anticipated by the database access services spoken of on column 8, line 47-49.

Regarding claim **103**, “wherein the customized service instances comprise at least one service instance reflecting a pre-subscribed audio quality” is anticipated by the audio file access service spoken of on column 8, lines 47-49.

Regarding claim **104**, “wherein the customized service instances comprise at least one service instance reflecting a pre-subscribed video quality” is anticipated by the video file access service spoken of on column 8, lines 47-49.

Response to Arguments

5. Applicant's arguments filed 9/14/07 have been fully considered but they are not persuasive.

Regarding *amended* claim 7, Applicant argues that *Ludwig* does not teach distributing resources among service endpoints across a plurality of domains. Applicant further argues that the MLAN server 60 of *Ludwig* is an apparatus that provides networking among CMW users, and not services.

However, as provided above, *Ludwig* teaches respective MLAN servers 60 (service endpoints) of the involved MLANs 10 (different domains) of Figures 1 and 4, that control their respective (distributed) A/V switching circuitry 30, conference bridges 35, and WAN gateways 40 (resources) to set up appropriate communication paths via WAN 15 in order to interconnect the conferees as spoken of on column 9, lines 7-12. From this teaching, the MLAN server is providing control such that different multimedia services are provided to CMW users connected to different geographically located MLANs during a multimedia conference. Therefore, it is held that the networking and control functions performed by the MLAN server 60 constitute providing services.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571) 272-3168. The examiner can normally be reached on Monday-Friday (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached at (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000:

mjm MM

Michael J. Moore, Jr.
Examiner
Art Unit 2619


WING CHAN
1/26/07
SUPERVISORY PATENT EXAMINER